

REMARKS

Applicants editorially amend claim 1, 4, 25, 27 and 38 for clarity and add new claim 39. Accordingly, claims 1 and 3-39 are all the claims pending in the application. New claim 39 is at least supported by page 4, lines 7-29 of the Specification. No new matter is added.

Claim rejection under 35 U.S.C. § 102

Claims 1, 3-10, 13-15, 17-27 and 38 are rejected under 35 U.S.C. § 102(b) as being anticipated by Anderson, Sr. (U.S. Pat. No. 6,522,629). Applicants traverse the rejection for at least the following reasons.

Claim 1

Claim 1 recites, *inter alia*, “dynamically adapting at least one parameter of said CAC algorithm as a function of a traffic model representative of traffic present, wherein said traffic model includes one or more parameters representative of at least one type of traffic present.” In the response to arguments section, the Examiner asserts that Anderson teaches that the bandwidth is dynamically allocated to meet QoS standards demanded by the network users. The Examiner also cites a new section that allegedly provides evidence of the claimed feature in the cited reference. Applicants respectfully disagree with Examiner for at least the following reasons.

Anderson discloses a traffic manager that distributes the traffic load across the network. Further, Anderson discloses Erlang and Poisson-type tables, which are based on real time empirical data gathered from testing, are provided for broadband traffic. Moreover, Anderson discloses that the traffic loading data is collected from network and sent to traffic manger for

computation. The data computations are then employed in connection with the models the traffic managers uses (column 12, line 66 - column 12, line 14). However, Anderson does not disclose “dynamically adapting at least one parameter of said CAC algorithm as a function of a traffic model representative of traffic present.”

In particular, Applicants assert that, in the claimed invention **a parameter of the connection admission control algorithm** is dynamically adapted based on traffic model. On the contrary, Anderson discloses dynamically allocating bandwidth (column 14, line 49). As such, Applicants respectfully request the Examiner point out where Anderson discloses this particular element of the claimed invention. In column 12, lines 3-14, Anderson discloses traffic loading table based on real time empirical data being gathered from testing. The traffic loading data is collected directly from the network by the provisioning manager. Anderson further discloses that the data computations are then employed in connection with basic models that the traffic manger uses. However, in this portion cited by the Examiner, Anderson does not disclose **connection admission control (CAC) algorithm**. Accordingly, Anderson also does not disclose dynamically adapting at least one of the parameters of the connection admission control (CAC) algorithm. That is, the traffic loading information computed using the real time empirical data does not teach or suggest **CAC algorithm** and dynamically adapting one of the parameter of the CAC algorithm as a function of a traffic model representing the traffic present.

Furthermore, in the newly cited portion, Anderson discloses that packet network switches in a packet networking technology dynamically allocates the physical bandwidth available to meet the quality of service levels demanded by network users. Further, Anderson discloses that

the packet QoS permits a network to autonomously route the isochronous traffic with the highest priority and to postpone transport of lower traffic (column 14, lines 35-64). However, this portion of the disclosure also does not teach or suggest “dynamically adapting at least one parameter of said CAC algorithm as a function of a traffic model representative of traffic present”. In particular, Anderson merely discloses physical bandwidth being dynamically allocated based on user demanded QoS, and does not teach or suggest a parameter of the CAC algorithm being dynamically adapted based on the traffic model.

That is, even with the reference being considered as a whole, there is no teaching or suggestion of a parameter of **the connection admission control (CAC)algorithm** is dynamically adapted based on traffic model.

Furthermore, in column 15, line 46 - column 16, line 43, Anderson discloses a connection admission control (“CAC”) algorithm. However, Anderson does not disclose dynamically adapting at least one of the parameters of the connected admission control algorithm based on traffic model.

In view of the above, Applicants submit that claim 1 is allowable over the cited reference.

Claims 3, 5-10, 13-15, 17-27 and 38

Applicants submit that claims 3, 5-10, 13-15, 17-27 and 38 depend from claim 1, and therefore are allowable at least by virtue of their dependency.

With regard to claims 8 and 9, Applicants submit that Anderson does not teach or suggest that at least one parameter corresponds to a margin corresponding to a maximum acceptable load or an equivalent bandwidth, respectively, that are adapted as a function of the traffic model.

In column 16, lines 4-7, Anderson discloses parameter corresponding to traffic include features such as peak cell rate, average cell rate, cell delay variation and the network bandwidth that is required by connection. However, there is no disclosure of a margin corresponding to a maximum acceptable load or an equivalent bandwidth. Furthermore, Anderson merely discloses that the parameters correspond to traffic and does not teach or suggest the parameters being adapted as a function of traffic model.

With regard to claim 38, Applicants submit that in column 12, lines 3-14, Anderson does not disclose adapting the at least one parameter of **said CAC algorithm** as a function of **a plurality of traffic model** representative of the traffic present. Moreover, Anderson does not that each of the traffic models of the plurality of traffic models is based on **different** traffic behavior.

Claims 4

Applicants submit that claim 4 recites subject matter analogous to claim 1, and therefore is also allowable for at least the analogous reasons claim 1 is allowable.

Claim rejection under 35 U.S.C. § 103

Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson, Sr. (U.S. Patent No. 6,522,629) in view of Kola et al. (U.S. Pub No. 2004/0213165).

Applicants traverse the rejection for at least the following reasons.

Claim 11 and 12

Applicants submit that since claims 11 and 12 depend from claim 1 and since Kola does not cure the deficiency noted above with respect to claim 1, claims 11 and 12 are allowable over the cited references

Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson, Sr. (U.S. Patent No. 6,522,629) in view of Bjoerkman et al. (U.S. Pub. 2005/0152272). Applicants traverse the rejection for at least the following reasons.

Claim 16

Applicants submit that since claim 16 depends from claim 1 and since Bjoerkman does not cure the deficiency noted above with respect to claim 1, claim 16 is allowable over the cited references

Claims 28-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson, Sr. (U.S. Pat. No. 6,522,629) in view of Vilander et al. (U.S. Pub. No. 2004/0010609). Applicants traverse the rejection for at least the following reasons.

Claims 28-37

Applicants submit that since claims 28-37 depend from claim 1 and since Vilander does not cure the deficiency noted above with respect to claim 1, claims 28-37 are allowable over the cited references.

New claim

Applicants submit that claim 39 depends from claim 1, and therefore is allowable over the cited references at least by virtue of its dependency. Further, Applicants submit that the cited references do not teach or suggest the features of claim 39.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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